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54
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,351	05/15/2001	Juergen Hoefig	P01,0136	1790
21171	7590	11/10/2003	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SING, SIMON P	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 11/10/2003 4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,351

Applicant(s)

HOEFIG, JUERGEN

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1,2 and 4-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hammond US 5,155,761.

1.1 Regarding claim 1, Hammond discloses a method for automatic callback in figures 1-4 (column 4, lines 34-56). Hammond teaches:

entering a telephone number of ACD/PBX 12 [central communication facility] by a caller at a remote telephone [local communication facility] (column 4, lines 57-60);

initializing a first connection between the caller and the ACD/PBX 12 (column 4, lines 57-60);

activating a callback module 14 (column 4, lines 60-67);

terminating said first connection (column 5, lines 1-11); and

automatically initializing a second connection between the caller and the ACD/PBX 12 by the callback module 14 (column 5, lines 11-18).

1.2 Regarding claim 2, Hammond teaches identifying the caller (column 3, lines 7-16; column 5, lines 4-8; column 6, lines 15-18).

1.3 Regarding claim 4, Hammond teaches entering a combination inputs before terminating the first connection (column 3, lines 7-16);

1.4 Regarding claim 5, Hammond teaches obtaining the caller's telephone number by ANI (column 2, lines 60-66; column 4, lines 51-56).

1.5 Regarding claim 6, Hammond teaches prompting the caller to enter a telephone number for call back (column 3, lines 7-16; column 6, lines 18-20).

1.6 Regarding claim 7, Hammond teaches that the callback telephone number is stored in a queue 11 (column 5, lines 9-11).

1.7 Regarding claim 8, Hammond teaches initiating the callback at a pre-determined time (column 5, lines 25-34; column 6, lines 20-24).

1.8 Regarding claim 9, Hammond discloses a automatic callback system [communication installation] 10 in figure 1, comprising:

an access unit ACD/PBX 12 for connecting callers to system 10;

a central control unit 13 for controlling the callback system 10, comprising a callback module 14 and a database 11 (column 4, lines 38-42; column 5, lines 9-11);

said central control unit terminates a first connection between a caller and the ACD/PBX 12, obtaining a callback telephone number, terminating said first connection and establishing a second connection to the caller (column 4, lines 34-68; column 5, lines 1-1-18).

2. Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Livanos US 5,311,574.

2.1 Regarding claim 1, Livanos discloses a method for automatic customer callback in figures 1-8. Livanos teaches:

entering a telephone number of ACD 140 [central communication facility] by a caller at a remote telephone [local communication facility] 117 (column 4, lines 18-20);

initializing a first connection between the caller and the ACD/PBX 12 (column 4, lines 18-20);

activating a callback module [not shown] (column 4, lines 20-27);

terminating said first connection (column 4, lines 27-30); and

Art Unit: 2645

automatically initializing a second connection between the caller and the ACD/PBX 12 by the callback module 14 (column 4, lines 30-36; column 7, lines 33-63).

2.2 Regarding claim 9, Livanos discloses a automatic callback system

[communication installation] 140 in figure 1, comprising:

access units for connecting callers to agents 150-180;

a central control unit 14 for controlling the callback system 140, comprising a callback module [not shown] and a database 190 (column 4, lines 18-36);

said central control unit terminates a first connection between a caller and the ACD/PBX 12, obtaining a callback telephone number, terminating said first connection and establishing a second connection to the caller (column 4, lines 18-36; column 7, lines 33-63).

3. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Boatwright US 6,185,415.

3.1 Regarding claim 1, Boatwright discloses a call security system in figure 1 (column 3, lines 24-51), which allows an authorized user to dial an access number of his home office's PBX and place a call from the PBX (column 1, lines 10-23; column 2, lines 44-62). Boatwright teaches:

entering a telephone number of the PBX 12 [central communication facility] by the user at a remote telephone [local communication facility] (column 3, lines 52-63; column 4, lines 11-16);

initializing a first connection between the caller and the PBX 12 (column 4, lines 11-16);

activating an access control module 22 [callback module] (column 3, lines 64-67; column 4, lines 1-22);

terminating said first connection (column 5, lines 10-14); and

automatically initializing a second connection between the caller and the PBX 12 by the access control module 22 (column 5, lines 10-18).

3.2 Regarding claim 2, Boatwright teaches identifying the user (column 4, lines 11-22).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Boatwright US 6,185,415 in view of Moon US 5,790,646.

Boatwright teaches identifying the user by prompting the user to input a user ID and a password (column 4, lines 11-22), but fails to teach that the user ID is an extension number of the PBX associated with the user.

However, Moon discloses a method for remotely accessing special service in telephone exchange column 1, lines 15-18; column 3, lines 10-21). Moon teaches that a subscriber calls the exchange and entering an extension number and a password for authentication (column 4, lines 18-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Boatwright's reference with the teaching of Moon, so that the user ID would have been an extension number associated with the user, because such modification would have identified the user by his extension and logged all calls made by the user to his extension.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Barron et al. US 4,876,717 discloses an adjunct processor for providing computer facility access including a callback function.

b) Dorst et al. US 4,969,185 discloses a system and method for automated booking (callback) telecommunication calls.

c) Ukon US 6,418,217 discloses a system and method for automatic callback.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

10/27/2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
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